

Docket No. 4SPK-0775-5

Applicant H an Oppermann, et al.

Serial No. 09/374,936 Filed August 16, 1999

Receipt is hereby acknowledged of the

1. Transmittal Letter (in duplicate)
 2. Petition for Extension of Time (in duplicate)
 3. Response to Notice to File Missing Parts of Application (in duplicate)
 4. Notice to File Missing Parts of Application
 5. Declaration and Power of Attorney for Patent Application
 6. Checks : \$1,360.00 and \$130.00
- Dated March 10, 2000

Filed in connection with the above case.

COMMISSIONER OF PATENTS
AND TRADEMARKS

03443.022

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45218

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1251 AVENUE OF THE AMERICAS
NEW YORK, NY 10020

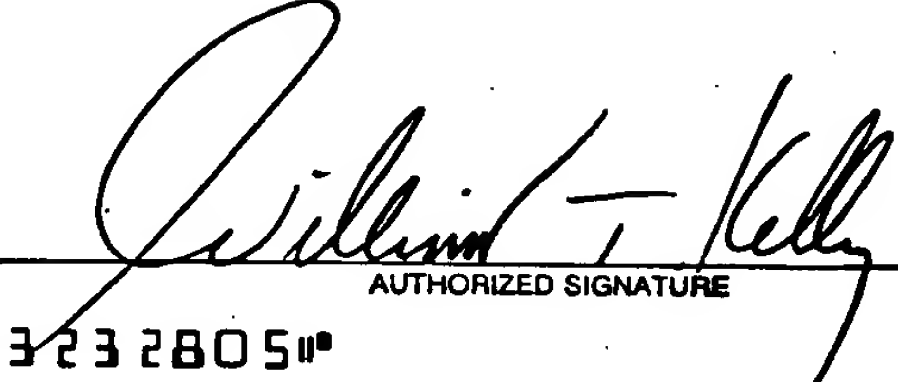
1-8/210
280

THE CITIBANK PRIVATE BANK
53 EAST 53RD STREET, SUITE NO. 2411
NEW YORK, NY 10049

DATE CHECK NO. CHECK AMOUNT
March 10, 2000 45218 \$1,360.00

AY One Thousand Three Hundred Sixty & 0/100

TO Commissioner of Patents and
HE Trademarks
DER Washington, DC 20231
OF


AUTHORIZED SIGNATURE

⑈045218⑈ ⑆021000089⑆ 400 43232805⑈

REMITTANCE ADVICE

FISH & NEAVE
51 AVENUE OF THE AMERICAS
NEW YORK, NY 10020

VENDOR NO.

VENDOR NAME

TRANSACTION DATE	REFERENCE	GROSS AMOUNT	DEDUCTION	NET AMOUNT
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Trademarks PTO Fee for Four Month Extension of
Time
3443.022

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45217

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1251 AVENUE OF THE AMERICAS
NEW YORK, NY 10020

1-8/210
280

THE CITIBANK PRIVATE BANK
13 EAST 53RD STREET, SUITE NO. 2411
NEW YORK, NY 10049

DATE	CHECK NO.	CHECK AMOUNT
March 10, 2000	45217	\$130.00

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IF

Commissioner of Patents and
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Washington, DC 20231

William T. Kelly

AUTHORIZED SIGNATURE

⑈045217⑈ ⑆021000089⑆ 400 43232805⑈

REMITTANCE ADVICE

FISH & NEAVE
1251 AVENUE OF THE AMERICAS
NEW YORK, NY 10020

VENDOR NO.

VENDOR NAME

TRANSACTION DATE	REFERENCE	GROSS AMOUNT	DEDUCTION	NET AMOUNT
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Trademarks PTO Fee for Outstanding Surcharge
3443.022

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REV. 11/98
For Other Than A Small Entity

Docket No. STK-077

Examiner : Not Yet Assigned
Group Art Unit : 1643
Applicants : Hermann Oppermann, et al.
Application No. : 09/374,936
Filed : August 16, 1999
For : MODIFIED PROTEINS AND DNAs OF THE TGF- β
SUPERFAMILY, INCLUDING MODIFIED
MORPHOGENIC PROTEINS

Hon. Assistant Commissioner
for Patents
Washington, D.C. 20231

New York, New York
March 10, 2000

TRANSMITTAL LETTER

Sir:

Transmitted herewith: [X] Response to Notice to
File Missing Parts; [X] Copy of Notice to File Missing
Parts; [X] Executed Declaration and Power of Attorney; [X]
Petition for Three-Month Extension of Time; to be filed in
the above-identified patent application.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[] A fee for additional claims is required.

The additional fee has been calculated as shown below:

CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEES
TOTAL CLAIMS	-	*	=	X \$ 18 = \$
INDEPENDENT CLAIMS	-	**	=	X \$ 78 = \$
FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM				+ \$260 = \$

* If less than 20, insert 20.

TOTAL \$ _____

** If less than 3, insert 3.

[] A check in the amount of \$_____ in payment of the filing fee is transmitted herewith.

[X] The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge \$_____ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

[X] The following extension is applicable to the Response filed herewith; [] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [] \$380.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [] \$870.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [X] \$1,360.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$1,850.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

[X] A check in the amount of [] \$110.00; [] \$380.00; [] \$870.00; [X] \$1,360.00; [] \$1,850.00 in payment of the extension fee is transmitted herewith.

[X] The Commissioner is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[] Please charge the [] \$110.00; [] \$380.00; [] \$870.00; [] \$1,360.00; [] \$1,850.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.



James F. Haley, Jr. (Reg. No. 27,794)
Attorney for Applicants

Karen Mangasarian (Reg. No. 43,772)
Agent for Applicants

c/o FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000
Fax.: (212) 596-9090

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COMMISSIONER FOR
PATENTS
WASHINGTON, D.C. 20231 on


Claire A. Saintil


Signature of Person Signing

STK-077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Not Yet Assigned
Group : 1643
Applicants : Hermann Oppermann, et al.
Serial No. : 09/374,936
Filed : August 16, 1999
For : MODIFIED PROTEINS AND DNAs OF THE
TGF- β SUPERFAMILY, INCLUDING MODIFIED
MORPHOGENIC PROTEINS

New York, New York
March 10, 2000

Honorable Assistant Commissioner
for Patents
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

This is in response to the September 10, 1999
Notice to File Missing Parts ("Notice"), a copy of which
is enclosed herewith.

Applicants concurrently file herewith a
petition for a four-month extension of time for
responding to the Notice and have paid the required

extension fee. 37 C.F.R. §§ 1.17(a)(4) and 1.136(a).
With the extension, the time for responding is extended
up to and including March 10, 2000.

To satisfy the requirements of the Notice,
applicants enclose a Declaration and Power of Attorney
signed by the inventors in compliance with 37 C.F.R.
§ 1.63 and enclose a check for \$130.00 in payment of the
outstanding surcharge.

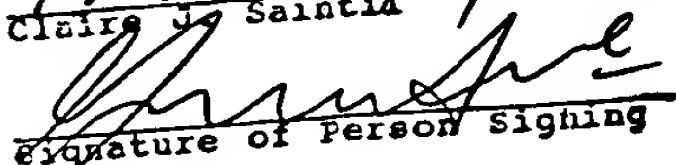
The Commissioner is hereby authorized to charge
any additional fees that may be due, or credit any
overpayment of same, to Deposit Account No. 06-1075. A
duplicate copy of this response is enclosed.

Respectfully submitted,



James F. Haley, Jr. (Reg. No. 27,794)
Attorney for Applicants
Karen Mangasarian (Reg. No. 43,772)
Agent for Applicants
c/o FISH & NEAVE
1251 Avenue of the Americas
New York, New York 10020
Tel.: (212) 596-9000
Fax.: (212) 596-9090

I hereby certify that this
Correspondence is being
Deposited with the U.S.
Postal Service as First
Class Mail in an Envelope
Addressed to: ASSISTANT
COMMISSIONER FOR
PATENTS
WASHINGTON, D.C. 20231 on

March 10, 2000
Claire J. Saintila

Signature of Person signing



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/374,936	08/16/99	OPFERMANN	H STK-077

021323

0242/0910

TESTA HURWITZ & THIBEAULT
HIGH STREET TOWER
125 HIGH STREET
BOSTON MA 02110

NOT ASSIGNED

1643

DATE MAILED:

09/10/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$_____ for _____ total claims over 20.

\$_____ for _____ independent claims over 3.

\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER: _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202